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INTERGOVERNMENTAL NEGOTIATING COMMITTEE
FOR A FRAMEWORK CONVENTION ON CLIMATE
CHANGE
Eleventh session
New York, 6-17 February 1995
Agenda item 11

ADOPTION OF THE REPORT OF THE COMMITTEE, INCLUDING RECOMMENDATIONS TO THE CONFERENCE OF THE PARTIES

Draft report of the Committee on its eleventh session

Rapporteur: Maciej SADOWSKI (Poland)

Addendum

VIII. PROCEDURAL AND LEGAL MATTERS

A. Rules of procedure of the Conference of the Parties and of the subsidiary bodies established by the Convention

1. Proceedings

1. The Committee considered item 6 at its 6th plenary meeting, on 16 February 1995. The Committee had before it document A/AC.237/L.22/Rev.2.

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2. The document was introduced by Vice-Chairman T. P. Sreenivasan, who reported on the outcome of the informal consultations conducted by him on the draft Rules of Procedure. The Vice-Chairman stated that the informal consultations were able to resolve most of the outstanding issues and that it was his opinion that the present text could command consensus at COP 1. He informed the Committee that the only rule remaining in brackets was Rule 42, Voting, owing to the divergent views expressed with regard to decision-making relating to matters of substance, finance and protocols. The document contained two alternative formulations of the first paragraph of Rule 42.

3. The Vice-Chairman noted that one representative had presented new proposals relating to Rule 22, Officers, and Rule 27, Subsidiary Bodies, during the informal consultations. These were not reflected in document A/AC.237/L.22/Rev.2 since a preliminary discussion showed that consensus was elusive. He further noted the proposal by one delegation to bracket Rule 54, Languages. He stated that this delegation had been informed that its view would, instead, be reflected in the report.

4. The Vice-Chairman concluded his statement by underlining the importance of reaching an agreement on the Rules as soon as possible.

5. The Chairman opened the discussion on Rule 42 and a large number of representatives spoke thereon. Of the two alternatives provided in Rule 42, twenty-two representatives, including one speaking on behalf of the European Community and its member States, expressed a preference for Alternative A, which provides for a two-thirds majority vote for the adoption of matters of substance failing consensus. The views of these representatives varied with respect to voting majorities on financial matters and protocols. Some felt that sub-paragraph (c) of Alternative A was unnecessary. Eight representatives expressed a preference for Alternative B, which provides for consensus on matters of substance and a two-thirds majority vote on financial matters.

6. Several representatives of oil-exporting developing countries spoke in support of a proposal relating to Rule 22, which would provide for those countries to have a post on the Bureau. Many other representatives voiced their disagreement with the substance of this proposal. One representative, however, suggested that the concern of the oil-exporting developing countries could be met by a provision that the President would consult, as appropriate, with delegations having specific interests, needs and concerns in relation to climate change.

7. One representative expressed concern that the footnote found in Rule 30, Conduct of Business, had been deleted and requested its reinsertion. There was no objection to this request.

8. One representative, recalling his position on Rule 54, proposed as an alternative that additional language be included, either in Rule 54 or in a footnote, which would specify that the lack of documentation or interpretation in any of the languages due to budgetary constraints should

not interrupt the smooth functioning of the COP or its subsidiary bodies. One representative expressed sympathy for this approach but several representatives strongly opposed it.

9. The Chairman adjourned the proceedings stating that he would attempt to produce compromise texts on outstanding issues.

2. Conclusions

[to be completed]

X. REVIEW OF THE ACTIVITIES OF THE INTERIM SECRETARIAT, INCLUDING REVIEW OF EXTRABUDGETARY FUNDS

1. Proceedings

After paragraph 91 in document A/AC.237/L.24/Add.2, add the following:

91(bis). At the 6th plenary meeting, on 16 February, the representative of Japan informed the Committee that, in light of the appeal made by the Executive Secretary for additional funding to support participation at COP 1, his Government had decided to make an additional contribution of US $ 100,000 for that purpose.

91(ter). The Chairman, on behalf of the Committee, requested the representative of Japan to convey the Committee's appreciation to his Government. In thanking the representative of Japan, the Executive Secretary said that the additional contribution announced, together with some others, should enable the interim secretariat to finance the participation at COP 1 of a second delegate from those Parties that are least developed countries or small island developing countries.